

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: ABRIL, ET AL. } Group Art Unit: 1794
Serial No.: 10/518,957 } Examiner: Paden, C.A.
Filed: JUNE 27, 2005 } Conf. No.: 2644
Atty. File No.: 2997-46-PUS }
For: STABLE EMULSIONS OF OILS IN } REQUEST TO RESET PERIOD
 AQUEOUS SOLUTIONS AND }
 METHODS FOR PRODUCING SAME } TO REPLY TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Office Action was mailed in the above-captioned application on June 30, 2008.

Applicant submits that this Office action contains an error that affects applicant's ability to reply to the Office action.

Where the citation of a reference is incorrect or an Office action contains some other error that affects applicant's ability to reply to the Office action and this error is called to the attention of the Office within 1 month of the mail date of the action, the Office will restart the previously set period for reply to run from the date the error is corrected, if requested to do so by applicant. (M.P.E.P. § 710.06).

The Office action states that the Examiner has found that the application contains two distinct inventions, and has required election of one of the two inventions for prosecution. The groups are as follows:

Group I: claims 1-40 and 83-90, drawn to an oil emulsion; and

Group II: claims 41-82, drawn to a method of making an emulsion.

This is in error. Claims 1-90 were cancelled in a Preliminary Amendment filed with the application on December 17, 2004. Claims 91-157 were added and are now pending in the application. Applicant is therefore unable to reply to the restriction requirement.

Applicant requests that this error be corrected, and that period for reply be reset to run from the date the error is corrected.

No fees are believed due with this submission; however, the undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-1970.

Respectfully submitted,

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